

# **DILLON DECLARATION**

## **EXHIBIT E**

# Student Sexual Misconduct Policy

Effective Date:

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Policy Owner:

Office of Student Integrity

Contact Name:

Director of the Office of Student Integrity

Policy Statement:

A. General

B. Violations

C. Retaliation

D. Sexual Misconduct Investigation Procedures

E. Appeal Procedures

F. Record Keeping & Release of Information

G. References & Resources

Scope:

## A. GENERAL

### 1. Overview:

The Georgia Institute of Technology is committed to maintaining a learning environment that is safe and fosters the dignity, respect, and worth of students, faculty, and staff. Each member of the community has the responsibility to practice the highest ethical principles and standards of conduct. Persons who do not adhere to these principles and standards by the commission of sexual harassment or sexual misconduct damage the community and its members.

This policy addresses student-related concerns of sexual assault and sexual misconduct, sexual harassment, stalking, intimate partner and dating violence (collectively, "Prohibited Conduct").

### 2. Resources:

Confidential services are available for students through the Counseling Center, Health Services, and the Women's Clinic. Additional campus resources include the Office of the Dean of Students, the Women's Resource Center, and Health Promotion. Numerous off-campus services are also available. More detailed information is provided in Resources, Section G.

### 3. Reporting:

When the Institute receives knowledge alleging Prohibited Conduct, the Institute will fully investigate each allegation. Victims are not required to participate in an investigation, but the Institute will still fulfill its obligation to investigate to the full extent possible.

The Institute actively encourages individuals to report violations of this policy. Individuals are not

required to report the incident through campus/local police or the Office of Student Integrity to receive support services. Individuals may file a confidential report for inclusion in campus safety statistics. Assistance is available from the Women's Resource Center to help a student determine the best reporting option. Reporting options include:

- To file a confidential report, contact any of the following offices: the Office of the Dean of Students (excluding the Office of Student Integrity), the Women's Resource Center, Health Promotion, or the Department of Housing.
- To file a complaint for a violation of this policy, contact the Office of Student Integrity.
- To file a criminal report, contact the Georgia Tech Police Department.

*See Reporting Procedures within Section G: Resources for more information.*

#### **4. Purpose:**

The policy is intended to address instances of Prohibited Conduct in a meaningful, educational manner that respects the rights of all involved; to comply with Title IX, Clery Act, and the Campus SaVE Act; and to ensure the safety of the campus. Investigations will proceed with reasonable measures taken to limit the number of people with whom the Respondent and the Victim must share the details of the complaint. Efforts will be made during the conduct process to minimize interaction between the Respondent and the Victim.

#### **5. Policy:**

The Georgia Institute of Technology prohibits sexual assault and sexual misconduct, sexual harassment, stalking, intimate partner and dating violence, and retaliation.

Charges of Prohibited Conduct under this policy do not preclude civil and/or criminal liability under state or other law. Proceedings under this policy and the Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Institute conduct proceedings are not restricted by the rules of evidence governing criminal and civil proceedings.

#### **6. Jurisdiction:**

a. This policy, in addition to the Student Code of Conduct, governs the conduct of all Georgia Tech students. Other Institute policies govern the conduct of faculty, staff, student employees, and administrators.

In cases of Prohibited Conduct, the Institute reserves the right to take necessary and appropriate action to protect the safety and well-being of the community. The Prohibited Conduct will be addressed whenever such acts:

- occur on Institute Premises;
- occur at Institute sponsored activities;
- occur at Group or Organization Activities; or
- occur off Institute Premises when conduct adversely affects the Institute and/or the pursuit of its objectives.

b. Each Student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree. This includes conduct that may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. This policy shall apply to a Student's conduct even if the Student withdraws from the school while a disciplinary matter is pending. This policy applies to Institute programs in remote and overseas locations.

c. The Institute shall retain jurisdiction over all Students irrespective of when the Student is subject to tenets of an agreement with other schools.

## 7. Definitions:

"*Respondent*" means a Student, Group, or Organization who is alleged to be in violation of the Sexual Misconduct Policy.

"*Victim*" means any individual who has been affected by an alleged violation of the Sexual Misconduct Policy.

"*Informant*" means any individual who provides information alleging a violation of the Sexual Misconduct Policy.

"*Advisor*" refers to an individual who assists a Victim or Respondent in the Sexual Misconduct Policy investigation and resolution process. A Victim or Respondent can choose any individual to serve as his or her advisor.

"*Advocate*" refers to an individual who assists the Victim or the Respondent with assistance and support such as resource information on counseling, medical, academic, or housing concerns. Advocates may also provide information and referrals to campus and community resources and may assist students with the impact on their academics. This person may also serve as an Advisor in the Student Conduct process.

"*Prohibited Conduct*" refers to student sexual assault and sexual misconduct, sexual harassment, stalking, intimate partner and dating violence.

"*Consent*" consent means informed, freely and actively given, mutually understandable words or actions which indicate a willingness to participate in mutually agreed upon sexual activity. Consent is not effectively given if the agreement results from the use of physical force, threats, intimidation, or coercion. Consent is absent when a person has sexual contact with another when the initiator knew, or reasonably should have known, that the other person(s) is incapacitated..

## What Consent Means

- Consent begins when individuals decide together to do the same thing, at the same time, in the same way, with each other. It is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity, to make sure that he or she has consent from his or her partner(s).
- Consent to one form of sexual activity does not necessarily imply consent to any other form of sexual activity.
- The initiator must obtain consent at every stage of sexual interaction.
- Consent will exist when both of these standards are met:
  - a reasonable person would consider the words or actions of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another; and
  - the Student believed in good faith that the words or actions of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another.
- Consent may never be given by incapacitated persons.
  - Incapacitation refers to the victim's inability to understand the situation, understand the

consequences of his/her choices, or to express his/her decision. This may include, but is not limited to, intoxication, being under the influence of drugs, unconsciousness, or other cognitive impairment, or being under the age of consent in accordance with Georgia state law.

### **Additional Clarifying Rules of Consent:**

- A person who is the object of sexual aggression is not required to physically or otherwise resist a sexual aggressor.
- Silence or passivity may not be considered consent; the absence of "No" does not imply consent.
- Previous sexual relationships or the existence of a current relationship with the Respondent does not imply consent.
- Consent cannot be implied by attire, or inferred from the giving or receiving of gifts, money or other items.
- Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly. Withdrawal of consent can be done in numerous ways and need not be a verbal withdrawal of consent.
- The Respondent's intentional use of alcohol/drugs does not excuse a violation of policy.

*"Preponderance of the evidence"* as an evidentiary standard means that it is more likely than not the alleged violation of policy occurred.

*"First Considered Sanction"* means that the Student Conduct Administrator or Appellate Officer(s) must consider this sanction prior to any other sanction(s). If it is decided that a First Considered Sanction is not appropriate, a rationale must be provided in the written outcome identifying why another sanction(s) was implemented.

Additional definitions referenced in this policy can be found in the Student Code of Conduct.

### **Procedures:**

### **B. VIOLATIONS**

The examples below each provision are not intended to be an exhaustive list, nor are they intended to prohibit consensual activity. The Institute encourages reporting of any behavior that you believe may be in violation of policy whether specifically listed in examples or not.

**1. Non-Consensual Sexual Contact:** including, but not limited to, intentional and/or forcible touching. Examples may include but are not limited to:

- sexual contact without consent by another (including but not limited to: a stranger, classmate, friend, dating partner, ex-dating partner, spouse, ex-spouse, etc.)
- forcing another to touch, directly or through clothing, themselves or another (i.e., genitals, breasts, groin, thighs, or buttocks, etc.)

**2. Non-Consensual Sexual Intercourse:** including, but not limited to, anal, oral or vaginal penetration, however slight. Examples may include, but are not limited to:

- rape (sexual intercourse without consent)
- sexual penetration with an object without consent
- oral or anal intercourse without consent

**3. Sexually Related Offenses:** L...ading, but not limited to, exploita..., obscene, indecent behavior and/or exposure. Examples may include, but are not limited to:

- sexual contact with a person under the age of consent
- child molestation
- voyeurism
- indecent behavior and/or exposure
- taking or distributing explicit photographs without consent
- prostituting another student
- non-consensual video or audio-taping of sexual activity
- going beyond the boundaries of consent (such as letting friends hide in closet to witness consensual sex)
- knowingly placing someone at risk for transmission of an STI or HIV regardless of whether the other person contracted it

**4. Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other written, verbal, non-verbal or physical conduct of a sexual nature when:

- a) Submission to such conduct is made either implicitly or explicitly as a term or condition of an individual's employment or status in a course, program, or activity offered by the Institute;
- b) Submission or rejection of such conduct by an individual is used as a basis for employment or education decisions affecting such individual; or
- c) Such conduct has the purpose or effect:
  - i. of unreasonably interfering with the individual's work or education performance;
  - ii. of creating an objectively intimidating, hostile, or offensive working and/or learning/living environment; or
  - iii. of unreasonably interfering with or limiting one's ability to participate in or benefit from an educational program or activity.

In cases of sexual harassment, if the alleged harasser is asked by the Victim or a third-party to stop his or her behavior and does not, a more serious sanction may be imposed. However, the Victim does not have to request the behavior be stopped for the behavior to be considered sexual harassment.

Examples of **unwanted** behavior that may constitute sexual harassment (a, b or c above) include, but are not limited to:

- Massaging a person's neck or shoulders
- Touching a person's clothing, hair, or body
- Hugging, kissing, patting, or stroking a person's body
- Making sexual gestures with hands or body movements, touching or rubbing oneself in a sexual manner around, or in the view of another person
- Brushing up against another person
- Tearing, pulling, or yanking a person's clothing
- Sexual flirtation, advances or propositions for sexual activity, or repeatedly asking for a date from a person who has indicated he or she is not interested
- Discussing or about sexual fantasies, preferences, or history
- Verbal abuse of a sexual nature
- Suggestive comments and sexually explicit jokes, or turning discussions at work or in academic or living settings to sexual topics when not legitimately related to an academic matter
- Stating, indicating, or implying in any manner that benefits will be gained or lost based on response to sexual advances



- Staring repeatedly at someone; repeatedly watching someone from afar
- Blocking another person's path or otherwise restricting their movements, particularly when in conjunction with other acts or comments
- Invading a person's personal body space, such as standing closer than appropriate
- Looking at a person up and down in a suggestive or intimidating manner
- Making sounds such as smacking or licking lips, making kissing sounds, or whistling
- Letters, gifts, or materials of a sexual nature, including but not limited to typed or handwritten notes, email, instant messages, text messages, online postings, etc.

Sexual harassment does not need to be related to sexual or amorous behavior. Behavior based on gender stereotypes or derogatory comments based on sex, gender, gender identity, or sexual orientation may also constitute sexual harassment.

**5. Advocating or Inciting Sexual Violence:** Examples may include, but are not limited to:

- Using cheers, chants, or slogans that incite or are likely to incite sexual violence
- Encouraging individuals to engage in acts of sexual violence
- Knowingly assisting in a violation of this Policy

**6. Intimidation:** Intentionally using one's physical presence to menace another, although no physical contact occurs, or where a person's knowledge of prior violent behavior by an assailant (coupled with menacing behavior) places this person in reasonable fear as an implied threat. Examples may include, but are not limited to:

- Restricting or blocking an entry or exit
- Destroying or threatening to destroy property
- Displaying weapons
- Using or threatening physical force

**7. Coercion:** The intentional use of force or intimidation (i.e. threats) to obtain compliance for an otherwise unwanted act. Coercion may be determined by the repetition of the activity beyond what is reasonable, the degree of pressure applied, or environmental factors such as isolation or the initiator's knowledge of incapacitation by alcohol and/or other drugs. Examples may include, but are not limited to:

- Repeatedly providing alcohol drinks to a victim or potential victim
- Isolating a victim or potential victim
- Providing false information to entice a victim or potential victim

**8. Stalking:** Engaging in behaviors directed at a specific person that result in that person: being reasonably afraid for his/her safety or the safety of others, and/or having to alter his/her activities, and/or suffering substantial emotional distress. Examples include, but are not limited to:

- Following or spying on another individual
- Watching another individual from afar
- Waiting for outside or inside the places another individual frequents, such as residence hall, classes, or work
- Unsolicited phone calls
- Unsolicited messages (i.e. e-mails, instant messages, text messages or letters, etc.)
- Placing another individual under surveillance

**9. Intimate Partner Violence:** Encompasses domestic and dating violence, and specifically violence

committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Factors used to determine existence of such a relationship include length of the relationship, type of relationship and frequency of interaction between the persons involved in the relationship. Violence committed by a current or former spouse of the victim, by a person whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse is also included in this violation. Examples include but are not limited to the following:

- Threats
- Assault
- Property damage
- Violence or threat of violence to one's self, one's sexual or romantic partner, or to the family members of the sexual or romantic partner
- Actions or threats used as a method of coercion, control, punishment, intimidation, or revenge
- Kidnapping or confinement

In an investigation of Prohibited Conduct, the Student Conduct Administrator reserves the right to include policy violation(s) from the Student Code of Conduct in the charges against the Respondent. In those cases, this Policy will be utilized to determine responsibility, not those provisions outlined in the Code of Conduct.

## **C. RETALIATION**

The Institute will not tolerate retaliation against anyone who makes a complaint of Prohibited Conduct, whether reported to the Institute or an external agency, or against anyone who exercises their rights or responsibilities under this Policy. If any party involved in the incident or conduct process retaliates in any way against a Victim, Informant, Witness, or others involved in the investigation, he or she may be subject to additional disciplinary action.

## **D. SEXUAL MISCONDUCT POLICY INVESTIGATION PROCEDURES**

### **1. Case Referrals**

Any person may file a complaint with the Institute for allegations of a violation of the Sexual Misconduct Policy. When an allegation of Prohibited Conduct is referred to the Office of Student Conduct (OSI), OSI will investigate the incident to the extent possible.

### **2. Communication**

All communication (requests for meetings, notifications, notice of hearings, etc.) will be provided via official Institute e-mail addresses, when possible, as defined by the Office of Information Technology. If the Victim or Respondent is not currently enrolled and an alternate e-mail address has been provided, it will be utilized. If no e-mail address is available, correspondences will be sent via U.S. Postal Service to the last known address on file with the Registrar.

### **3. Confidentiality**

Although the Institute's goal is to limit the number of individuals who may learn about an allegation of prohibited conduct or an investigation, the Institute cannot guarantee confidentiality in all cases. However, the Institute will make reasonable and appropriate efforts to preserve a Victim's and Respondent's privacy and to protect the confidentiality of information. To the extent permissible by law, the Institute shall take reasonable steps to avoid inclusion of identifying information about the Victim or Respondent from publicly-available records.



#### 4. Rights of the Victim & Respondent

- Have any and all acts of Prohibited Conduct handled with seriousness, dignity, and respect.
- Receive information outlining the campus procedures regarding Prohibited Conduct.
- Receive information about options to report Prohibited Conduct (e.g. campus and/or local police, the Office of Student Integrity, and the confidential reporting form) and assistance from Advocates if requested.
- Receive a prompt, fair, and impartial investigation and resolution.
- Have the investigation, resolution, and appeal process be carried out by those who have received annual training on the issues related to intimate partner and dating violence, sexual assault, and stalking, and how to conduct a sexual misconduct investigation, resolution, and appeal process that protects the safety of Victims, maintains fairness/impartiality for Respondents, and promotes student accountability.
- To be informed of the date and location of any meetings involved in the investigation and resolution process.
- Seek information or updates from OSI at any point throughout the investigation and resolution process.
- To have an Advisor of one's choice present during any meetings and proceedings involved in the investigation and resolution process.
- To be informed in writing of any policies alleged to have been violated in association with the incident.
- To have the opportunity to provide information regarding his or her involvement in the allegation.
- To be informed of the outcome in writing of any campus disciplinary proceeding.
- To be notified of options and offered assistance in changing academic, living, transportation, and working situations if requested and as long as the changes are available. The Office of the Dean of Students, in particular the Women's Resource Center will work with students requesting these services.
- Receive support services (i.e. campus counseling, medical assistance).
- Not to have mediation imposed as a resolution process.
- To appeal the outcome in accordance with Section E: Appeals below.
- To be informed in writing of any change to the outcome due to appeal, and when the outcome becomes final.

#### 5. Investigation & Resolution Process

The Investigation and Resolution process utilizes an investigatory model, not an adversarial model, in resolving allegations of violations of this policy. The standard of proof shall be Preponderance of the Evidence. An investigation begins when a complaint is received by the Office of Student Integrity. During the investigation, a Student should continue to attend class and required Institute functions unless otherwise instructed by the Dean of Students. The investigation and resolution process are as follows:

##### A. Investigation

After OSI receives a complaint, the Student Conduct Administrator will initiate an investigation by contacting all involved parties to schedule an individual meeting or provide a statement in writing detailing the events of the incident in question. The length of time of the investigation stage is dependent on the complexity of the incident and number of individuals involved.

**No-Contact Order:** Upon receipt of a report of Prohibited Conduct, the Office of Student Integrity may issue a no-contact order between the parties involved in the case. The no-contact order prohibits communication between/among the parties including but not limited to: contact

by telephone, email, handwritten note, instant messaging, text messaging, online postings/message boards, through a third person, or in person. This includes any email or message accounts that are affiliated with the parties' identities. If any party violates the no-contact order, the Office of Student Integrity may pursue additional disciplinary action.

In certain circumstances, the Dean of Students may also impose an Interim Suspension in accordance with Section F in the Code of Conduct.

**Timeframe:** Investigations of these cases will be completed as quickly as possible and all reasonable attempts will be made to comply with the Title IX timeline of a 60 day resolution. The length of the resolution process will depend upon the complexity of the case.

## **B. Determination of Charges**

1. If, at any point, in the investigation process the Student Conduct Administrator believes a policy has been violated, a notification of charges will be sent to the Respondent and copied to the Victim. The Respondent will be given 5 days to schedule a resolution meeting to respond to the charges.
2. If the investigation suggests no policies have been violated, charges will not be imposed. However, the Student Conduct Administrator may implement and notify the Respondent and Victim of any accommodations necessary to safeguard the campus.

## **C. Determination of Charges**

In incidents involving charges against the Respondent, the Student Conduct Administrator has 5 business days following a resolution meeting to communicate a decision and impose sanctions. The outcome will be delivered simultaneously in writing to the Respondent and Victim.

## **D. Sanctions & Supplementary Requirements**

1. The Student Conduct Administrator may use sanctions and supplementary requirements outlined in Section E of the Student Code of Conduct. The severity of sanctions or corrective actions will depend on the frequency or severity of the offense and history of past discriminatory, harassing, or retaliatory conduct.

### **2. First Considered Sanctions**

If a Respondent is found responsible for any of the following policy violations, the Student Conduct Administrator or Appellate Committee must consider the First Considered Sanction(s) prior to any other sanction(s). If it is decided that a First Considered Sanction is not appropriate, a rationale must be provided in the written outcome identifying why another sanction(s) was implemented.

<b>Violation</b>	<b>First Considered Sanction</b>
B1. Non-Consensual Sexual Contact	One Year Suspension
B2. Non-Consensual Sexual Intercourse	Expulsion
B3. Sexually Related Offenses	Suspension (length dependent on severity)
B4. Sexual Harassment	Suspension Held in Abeyance
B5. Advocating or Inciting Sexual Violence	Suspension Held in Abeyance

B6. Intimidation	Suspension Held in Abeyance
B7. Coercion	Suspension Held in Abeyance
B8. Stalking	Suspension Held in Abeyance
B9. Intimate Partner Violence	Suspension

## E. APPEALS

Regardless of the final outcome, the Respondent and/or the Victim may file a request for an appeal in accordance with procedures outlined in the Student Code of Conduct, Section G within five (5) business days of the resolution decision.

### 1. Reasons for Appeal

The appeal process is not intended to grant a new investigation at a higher level. An appeal shall be limited to a review of the record of the initial hearing, supporting documents, and the Respondent's or Victim's written appeal. The Respondent or Victim must explicitly state why he or she believes an appeal is warranted. Appeals will only be considered for the following reasons:

- To determine whether the original investigation was conducted fairly and in conformity with prescribed procedures;
- To determine whether there was sufficient evidence to support the decision;
- To determine whether the Sanctions and Supplementary Requirements imposed were appropriate for the violation for which the Student was found responsible; and/or
- To determine whether new Information, not available at the time of the investigation, is relevant to the final decision.

If a Victim has chosen not to engage in the investigation process, the Victim may appeal on grounds a, b and/or d.

### 2. Process

If a case is appealed, sanctions are not immediately imposed unless the welfare of an individual or the community is threatened. Sanctions will be imposed if an appeal is not filed, the deadline for an appeal passes, or when an appeal decision has been finalized.

An appeal must be written by the Victim or Respondent, addressed to the Appellate Committee, and delivered to the Office of Student Integrity within five (5) business days of the delivery of the decision. Appeal decisions will normally be rendered within ten (10) business days and will be communicated simultaneously to the Victim and Respondent in accordance with the communication guidelines in Section D.2.

For all decisions made by the Office of Student Integrity, the Appellate Committee shall consist of the Dean of Students (or his/her designee), and two trained administrators. For all cases where the sanction includes suspension or expulsion, Victims and/or Respondents may, after an appeal to the Dean of Students, appeal to the Institute President, via the Vice President for Student Affairs. The Vice President for Student Affairs will review and make a recommendation to the Institute President. The Institute President's decision will be the final decision of the Institute and sanctions or supplementary requirements will be immediately imposed. Decisions of appeals to the President will normally be rendered within ten (10) business days and will be communicated simultaneously to the Victim and Respondent in accordance with the communication guidelines in Section D.2.

All persons involved in reviewing the decision will receive annual training on the issues related to intimate partner and dating violence, sexual assault, and stalking, and how to conduct a sexual misconduct investigation, resolution, and appeal process that protects the safety of Victims, maintains fairness/impartiality for Respondents, and promotes student accountability.

### **3. Appeal Decisions**

The Appellate Committee is authorized to take one of the following actions:

- a. dismiss the appeal for failure to state valid reasons, in accordance with Section E.1;
- b. find no error and uphold the original decision;
- c. uphold the original decision, but modify Sanctions and Supplementary Requirements;
- d. remand the case to a Student Conduct Administrator; or
- e. reverse the original decision.

### **4. Board of Regents**

The Board of Regents of the University System of Georgia (the "Board") is the final appellate authority for all cases of suspension or expulsion that have been reviewed by the Institute President. Should the Respondent and/or Victim be dissatisfied with the decision of the Institute President, he/she may apply to the Board for a review of the decision. The application for review shall be submitted in writing to the executive secretary of the Board within the period specified by the Board of Regents. Decisions of the Board of Regents will be communicated simultaneously to the Victim and Respondent in accordance with the communication guidelines in Section D.2.

## **F. RECORD KEEPING AND RELEASE OF INFORMATION**

### **1. Maintenance of Disciplinary Files**

Disciplinary records of Students found responsible of any charges against them will be retained for five (5) years after graduation or date of last attendance. Disciplinary records containing records of Suspension and Expulsion will be permanently retained. A case referral results in the creation of a disciplinary file in the name of the Respondent. This file shall be voided if the student is found not responsible for the charges.

### **2. Release of Information**

Student disciplinary records shall be governed by the Family Educational Rights of Privacy Act 20 U.S.C. § 1232g.

- a. Academic or non-academic misconduct resulting in expulsion is released to third parties indefinitely.
- b. Academic misconduct that resulted in suspension is released to third parties for five years after sanction completion.
- c. Any non-academic misconduct that resulted in suspension where a potential threat to the campus community exists (including but not limited to illegal drug distribution, endangering or harming any person, or jeopardizing the safety of any person) is released to third parties for five years after sanction completion. In instances of suspension where no threat to the community is identified, the suspension is reported until the sanction is complete.
- d. Any academic or non-academic misconduct that did not result in suspension or expulsion is not released to third parties.
- e. The Institute requires a specific written request from the student to release the entire disciplinary record to third parties.

## **G. RESOURCES**

When sexual activity is not consensual, the aftermath can be devastating to the individuals involved as well as the community. Given the impact on Georgia Tech students, the Institute takes sexual assault and sexual misconduct, sexual harassment, stalking, intimate partner and dating violence seriously and actively works to end it on campus through prevention, advocacy, and educational programs for all incoming students and new employees, as well as ongoing prevention and awareness campaigns for current students and employees. This coordinated effort is called VOICE, a campus-wide prevention program jointly administered through the efforts of the Women's Resource Center, a unit of the Office of the Dean of Students, and Health Promotion, a unit of Stamps Health Services. For more information about VOICE, visit [www.voice.gatech.edu](http://www.voice.gatech.edu).

There are several basic reporting options, depending on whether the Victim wishes to file a confidential report with the Women's Resource Center, pursue a Georgia Tech investigation with the Office of Student Integrity, or seek a criminal investigation with the assistance of Georgia Tech Police Department.

**To file a confidential report:**

- The Victim may file a confidential report with the Office of the Dean of Students (excluding the Office of Student Integrity), Women's Resource Center, Health Promotion, or the Department of Housing.
- In this case, general information is collected for campus safety statistics and the case is referred to the Institute's Title IX Coordinator to investigate to the extent possible given the information provided.
- If information is provided that would identify the Respondent, the Institute's Title IX Coordinator will use that information to investigate the case. Examples of identifying information include, but are not limited to: name, email account, apartment or room number, job title (i.e. TA for particular class, etc.), and/or a specific description.

**To pursue an Office of Student Integrity investigation:**

- If the Respondent is a Student, the Victim may report the violation in writing or in person to the Office of Student Integrity (OSI) to begin the investigation.
- To prepare for the official conduct process, Students are encouraged to meet with a staff member of the Office of the Dean of Students (including the Women's Resource Center) prior to making the official complaint with the Office of Student Integrity.
- If the Respondent is a faculty or staff member, the Georgia Tech Policy on Student Sexual Misconduct does not apply. However, the Victim may file a report with the Office of the Dean of Students (including the Women's Resource Center) to be investigated by the Office of Human Resources and the Institute's Title IX Coordinator.
- Victims are encouraged to report as soon as possible. However, the Office of Student Integrity will review all complaints of Prohibited Conduct.

**To seek a criminal investigation:**

- The Victim may file a report with Georgia Tech Police Department or local police for a criminal investigation, which may be sought in conjunction with a Georgia Tech investigation.
- Reports to Georgia Tech Police Department will be shared with the Office of Student Integrity and will be investigated for violation of this policy or other violations of the Student Code of Conduct.
- The Office of the Dean of Students (including the Women's Resource Center) can provide an Advocate to assist with reporting to Georgia Tech Police Department or local police.



A Victim may also choose not to file any report. In that case, a Victim can still receive support services.

When a sexual assault has occurred, it is important for the victim to receive medical attention within the first 72 hours. This timeframe allows more options for medical assistance and a greater likelihood of collecting evidence if the victim chooses to report the assault. Medical care is still encouraged after 72 hours if the victim has not yet sought care.

The Georgia Tech Stamps Health Services (including the Primary Care Clinic and Women's Clinic) is available during regular hours for medical assistance and follow-up care. Local rape crisis centers are available for medical and counseling assistance 24 hours a day.

In addition, a counselor and a member of the Office of the Dean of Students staff are on call 24 hours a day. After hours, staff members are available through the Georgia Tech Police Department (404-894-2500); their assistance may be requested without making a police report.

Counseling resources are available for all Students involved in an incident of sexual misconduct.

### **Confidential Services on Campus:**

Counseling Center: 404-894-2575  
[www.counseling.gatech.edu](http://www.counseling.gatech.edu)

Women's Clinic: 404-894-1434  
<http://health.gatech.edu/services/Pages/Women's-Health.aspx>

Stamps Health Services: 404-894-1420  
[www.health.gatech.edu](http://www.health.gatech.edu)

### **Additional Campus Resources:**

Office of the Dean of Students: 404-894-2564  
[www.deanofstudents.gatech.edu](http://www.deanofstudents.gatech.edu)

Health Promotion: 404-894-9980  
<http://health.gatech.edu/promotion/Pages/default.aspx>

Georgia Tech Police: 404-894-2500  
[www.police.gatech.edu](http://www.police.gatech.edu)

Women's Resource Center: 404-385-0230  
[www.womenscenter.gatech.edu](http://www.womenscenter.gatech.edu)

Title IX Coordinator: 404-894-0300  
[www.ohr.gatech.edu/ers/titleix](http://www.ohr.gatech.edu/ers/titleix)

### **Off-Campus Rape Crisis/Domestic Violence Resources:**

DeKalb Rape Crisis Center: 404-377-1428  
[www.dekalbrapecrisiscenter.org](http://www.dekalbrapecrisiscenter.org)

GNESA: 404-815-5261



[www.gnesa.org](http://www.gnesa.org)

Grady Rape Crisis Center: 404-616-4861  
[www.gradyhealthsystem.org](http://www.gradyhealthsystem.org)

Partnership Against Domestic Violence: 404-873-1766  
[www.padv.org](http://www.padv.org)

Raksha: 1-866-725-7423  
[www.raksha.org](http://www.raksha.org)

RAINN: 1-800-656-HOPE  
[www.rainn.org](http://www.rainn.org)

Stalking Hotline (Safe Horizon): 1-866-689-HELP  
[www.safehorizon.org](http://www.safehorizon.org)

Tapestri: 404-299-2185  
[www.tapestri.org](http://www.tapestri.org)

United for Safety: 404-688-2524  
<http://thehealthinitiative.org/programs-resources/>

The most up-to-date campus and community resource information is available at [www.voice.gatech.edu](http://www.voice.gatech.edu) or by contacting the Women's Resource Center at (404) 894-0230 or [www.womenscenter.gatech.edu](http://www.womenscenter.gatech.edu) or Health Promotion at (404) 894-9980 or [www.health.gatech.edu](http://www.health.gatech.edu)

## M. REFERENCES

- Computer Use and Network Policy:  
<http://www.policylibrary.gatech.edu/computer-and-network-usage-and-security>
- Office of the Dean of Students:  
[www.deanofstudents.gatech.edu](http://www.deanofstudents.gatech.edu)
- Office of Student Integrity:  
<http://www.osi.gatech.edu/index.php/>
- Crime Awareness and Campus Security Act (Title II of Public Law 101-542):  
<http://www.ed.gov/admins/lead/safety/campus.html>

The following policies can be found on the OSI Web site:

- Student Code of Conduct
- Student Policy on Alcohol and Illegal Drugs

*Note: Many aspects of the policy and definitions have been used and adapted with permission from the University of Colorado-Boulder and from Brett Sokolow, J.D. and the National Center for Higher Education Risk Management, Ltd.*

Related Information:

[Computer Use and Network Policy](#)

[Office of the Dean of Students](#)

Policy History:

Revision	Author	Description
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Date		
10-21-2014	Office of Student Integrity	Updates to verbiage